IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

CRP.No. 337 of 2001(E)

AGAINST THE ORDER DATED 01/12/2000 IN IA.3227/2000 IN AS.24/1994 of ADDL.SUB COURT, IRINJALAKUDA
OS.97/1991 of PRL.M.C.,IRINJALAKUDA

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REVN. PETITIONER:

BALAN, S/O. CHULI RAMAN, KALLUR DESOM AND VILLAGE MUKUNDAPURAM TALUK

BY ADV. SRI.K.G.BALASUBRAMANIAN

RESPONDENTS:

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1. ABJIMANYU, S/O. VALLATH KUNJAPPU, KALLUR DESOM AND VILLAGE, MUKUNDAPURAM TALUK

2. AVANACHAN, NADUVELI PUTHENPURAM, C/O. ST. MARY'S RUBBER NURSERY, KALLUR DESOM AND VILLAGE, MUKUNDAPURAM

R2 BY ADV. SRI.V.M.KRISHNAKUMAR

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 12/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON C.M.P.NO: 681/2001 IN
C.R.P. 337/2001

DISMISSED

12/12/2007 SD/- M.N.KRISHNAN, JUDGE

M.N. KRISHNAN, J.

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C.R.P. NO. 337 OF 2001

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Dated this the 12th day of December, 2007.

O R D E R

This revision petition is preferred against the order of the Addl. Subordinate Judge, Irinjalakuda in I.A.3227/00 in A.S.24/94. It was an application filed to receive the certified copy of document No.3243/1122 of SRO Nellai towards additional evidence. The Court below considered and found that there are no grounds and dismissed the application. The learned Subordinate Judge held that there are no sufficient explanation. The Apex Court has considered about the question of reception of document under Order 41 Rule 27 CPC and has held that it is always desirable that it is considered along with the appeal. In the light of the above decision I set aside the order of the learned Subordinate Judge, restore the interim application to file and direct him to consider the same along with the hearing of the appeal.

The C.R.P. is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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M.N. KRISHNAN, J.

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C.R.P. No. 337 OF 2001

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O R D E R

12th December, 2007.